

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, JULY 13, 2015**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:06 p.m. on Monday, July 13, 2015, with Councillor Lewis presiding.

Councillor Robinson introduced David Hampton, Senior Pastor, Light of the World Church, who led the opening prayer. Councillor Robinson then invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*27 PRESENT: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*  
*2 ABSENT: Cain, Clay*

A quorum of twenty-seven members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Oliver recognized long-time resident Jim Trulock. Councillor McQuillen recognized Remington O'Quinn, St. Joseph neighborhood. Councillor Jackson recognized former City County Councillor Steve Talley, Lawrence Township Trustee. Councillor McQuillen recognized Mr. and Mrs. Brian Jones, northside residents. Councillor Pfisterer recognized David Sequilla and Mrs. Dwyer of Wayne Township Schools. Councillor Hickman recognized neighbor Bill Moreau.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

*Journal of the City-County Council*

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, July 13, 2015, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Maggie A. Lewis  
President, City-County Council

July 6, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* a copy of a Notice of Public Hearing on Proposal Nos. 171, 172, 176, 177 and 178, 2015, as well as posted notices of the hearing in the City County Building and the Lawrence Township and Warren Township Government Centers, said hearing to be held on Monday, July 13, 2015, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/NaTrina DeBow  
Clerk of the City-County Council

June 11, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

FISCAL ORDINANCE NO. 24, 2015 – approves an additional appropriation of \$6,900,132 in the 2015 Budget of the Department of Public Works (Rebuild Indy and Transportation General Funds) to fund transportation infrastructure projects

GENERAL ORDINANCE NO. 32, 2105 – authorizing taxi and limousine parking on Broad Ripple Avenue (District 3)

SPECIAL ORDINANCE NO. 1, 2015 – authorizes a final bond ordinance for the issuance of multi-family housing revenue bonds not to exceed \$12,500,000 to assist in the financing of the MAH Northside Flats project consisting of approximately 219 units located along Pennsylvania and Delaware streets (Districts 9, 15) and approves and authorizes other actions in respect thereto

SPECIAL ORDINANCE NO. 2, 2015 – authorizes a final bond ordinance for the issuance of multi-family housing revenue bonds not to exceed \$11,000,000 to assist in the financing of the MAH Mid-Town Flats project consisting of approximately 283 units located along North Pennsylvania, Delaware and Meridian Streets and North College Avenue (Districts 8, 9, 15) and approves and authorizes other actions in respect thereto

GENERAL RESOLUTION NO. 8, 2015 - authorizes the Metropolitan Development Commission to issue notes in an amount not to exceed \$12 million as part of the HUD Section 108 Loan Guarantee Program to support the Old City Hall project

GENERAL RESOLUTION NO. 9, 2015 - approves the statement of benefits for Harvard Drug Group, LLC to allow tax abatement for property located in an economic revitalization area

GENERAL RESOLUTION NO. 10, 2015 – approves the Library Capital Project Fund Plan of the Indianapolis-Marion County Public Library for 2016-2018

SPECIAL RESOLUTION NO. 26, 2015 – recognizes Bosma Enterprises for 100 years of service

*July 13, 2015**July 13, 2015*

SPECIAL RESOLUTION NO. 27, 2015 – recognizes Stephan Mitchell for being accepted into seven Ivy League schools

SPECIAL RESOLUTION NO. 28, 2015 - recognizes the month of June as National Internet Security Month

SPECIAL RESOLUTION NO. 29, 2015 – recognizes Crispus Attucks Medical Magnet High School and the Class of 2015

SPECIAL RESOLUTION NO. 30, 2015 - recognizes Helen Haynes, Director of Chapter Relations, Indiana Black Expo, Inc.

SPECIAL RESOLUTION NO. 31, 2015 – requests that the Metropolitan Development Commission initiate a proposal to consider amendments and/or additions to existing zoning ordinances in order to assess the use of outdoor digital advertising signs in Marion County

s/Gregory A. Ballard, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journals of June 8, 2015. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

Councillor Pfisterer asked for consent to hear Proposal Nos. 229 and 230, 2015 together. Consent was given.

PROPOSAL NO. 229, 2015. The proposal, sponsored by Councillor Pfisterer, honors Kylee Nelson for being a 2015 recipient of the Gates Millennium Scholarship. PROPOSAL NO. 230, 2015. The proposal, sponsored by Councillor Pfisterer, honors Irving Salinas for being a 2015 recipient of the Gates Millennium Scholarship. Councillor Pfisterer read the proposals and presented representatives with copies of the document and Council pins. Ms. Nelson and Mr. Salinas thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor McQuillen, for adoption. Proposal Nos. 229 and 230, 2015 were adopted by a unanimous voice vote.

Proposal No. 229, 2015 was retitled SPECIAL RESOLUTION NO. 32, 2015, and reads as follows:

Proposal No. 230, 2015 was retitled SPECIAL RESOLUTION NO. 33, 2015, and reads as follows:

PROPOSAL NO. 231, 2015. The proposal, sponsored by Councillor Jackson, honors Rick Neal for assisting in saving the life of a co-worker. Councillor Jackson read the proposal and presented Mr. Neal with a copy of the document and Council pin. Mr. Neal thanked the Council for the recognition. Councillor Jackson moved, seconded by Councillor Osili, for adoption. Proposal No. 231, 2015 was adopted by a unanimous voice vote.

Proposal No. 231, 2015 was retitled SPECIAL RESOLUTION NO. 34, 2015, and reads as follows:

PROPOSAL NO. 232, 2015. The proposal, sponsored by Councillors Osili, Gray and Oliver, honors Dr. Melvin B. Girton, Sr. on his many years of service to Christ Missionary Baptist Church. Councillor Osili read the proposal and presented Dr. Girton with a copy of the document and Council pin. Dr. Girton thanked the Council for the recognition. Councillor Osili moved, seconded by Councillor Gray, for adoption. Proposal No. 232, 2015 was adopted by a unanimous voice vote.

Proposal No. 232, 2015 was retitled SPECIAL RESOLUTION NO. 35, 2015, and reads as follows:

PROPOSAL NO. 233, 2015. The proposal, sponsored by Councillor Adamson, honors Rosie Ellis and the Southside Animal Shelter. Councillor Adamson read the proposal and presented Ms. Ellis with a copy of the document and a Council pin. Ms. Ellis thanked the Council for the recognition. Councillor Adamson moved, seconded by Councillor Mansfield, for adoption. Proposal No. 233, 2015 was adopted by a unanimous voice vote.

Proposal No. 233, 2015 was retitled SPECIAL RESOLUTION NO. 36, 2015, and reads as follows:

PROPOSAL NO. 234, 2015. The proposal, sponsored by Councillors Lewis, Adamson, Mascari, Barth, Jackson, Hickman, Moriarty Adams, Robinson, Gray, Clay and Oliver, recognizes the Indianapolis Retail Workers Bill of Rights. Councillor Barth read the proposal and recognized representatives.

Councillor Freeman said that according to Sec. 151-6 (b) of the Code, any special resolution can be referred to committee by a vote of eight members of this body. He said that this is not the normal honoring or recognition type of special resolution handled during this portion of the agenda, and it does not have any force or effect and is not a part of law. This contemplates many other things, and should therefore go through the normal committee process for more thorough examination. He moved, seconded by Councillor Lutz, to refer Proposal No. 234, 2015 to the Metropolitan and Economic Development Committee.

Councillor Mansfield said that she is not sure this portion of the Code is applicable, and the language does not clarify whether something should be an ordinance or a part of law. Fred Biesecker, General Counsel, stated that there is nothing in the rule to distinguish among types of special resolutions, but if it is requested and there are eight votes of this body, a special resolution can be referred to committee.

Proposal No. 234, 2015 was referred to the Metropolitan and Economic Development Committee on the following roll call vote; viz:

*13 YEAS: Evans, Freeman, Gooden, Holliday, Hunter, Lutz, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Scales, Shreve*

*14 NAYS: Adamson, Barth, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Simpson, Tew*

2 ABSENT: Cain, Clay

President Lewis asked when the next meeting of the Metropolitan and Economic Development Committee is scheduled. The Clerk responded that the next meeting is July 27, 2015.

Councillors Oliver, Barth, McQuillen, Tew, Hunter, Scales, Miller and Hickman asked for consent to explain their votes. Consent was given. Councillor Oliver said that he finds it reprehensible to stall this action and deny workers simple rights. Councillor Barth agreed and said that by not allowing the representatives present this evening the opportunity to speak, they will come back with amplified and multiplied voices. Councillor McQuillen said that he would welcome amplified and multiplied voices on this issue, and the committee process will allow that. This item is not up for public testimony or public input this evening, and so to act on it tonight would actually prevent all those who wish to speak from speaking. Councillor Tew asked to be added as a co-sponsor. Councillor Hunter said that voting to send a proposal to committee does not suppress anyone's opportunity to speak, but in fact gives more voices a chance to speak; that is what the committee process is about. He said that he has concerns because there are individuals in the community who think that passing this proposal actually enacts a law and carries the force of an ordinance; when it does not. Councillor Scales said that she stands on the process of this body, and believes this is a complex issue and should be weighed in committee with intelligent conversation and thoughtful input by witnesses. Councillor Miller agreed that with something this important, they should allow for the committee process to have it fully vetted, and come back with bigger force behind it. He said that he sees this as a positive and not the negative others are portraying. Councillor Hickman said that she is a retail employer, and that is why she supports this proposal and will continue to do so.

Councillor Mansfield reported that the Administration and Finance Committee heard Proposal Nos. 169-170 and 205-209, 2015 on June 16, 2015. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 169, 2015. The proposal, sponsored by Councillors Lewis, Barth and Gray, reappoints Janai Downs to the Equal Opportunity Advisory Board. PROPOSAL NO. 170, 2015. The proposal, sponsored by Councillors Robinson and Lewis, appoints Greg Stowers to the Equal Opportunity Advisory Board. PROPOSAL NO. 205, 2015. The proposal, sponsored by Councillors Moriarty Adams and McQuillen, approves the Mayor's appointment of Jeffery M. Heinzmann as hearing officer to preside over the administrative adjudication of parking citations and environmental violations. PROPOSAL NO. 206, 2015. The proposal, sponsored by Councillors Moriarty Adams and McQuillen, approving the Mayor's appointment of Maura J. Hoff as hearing officer to preside over the administrative adjudication of parking citations and environmental violations. PROPOSAL NO. 207, 2015. The proposal, sponsored by Councillors Moriarty Adams and McQuillen, approving the Mayor's appointment of John C. Krause as hearing officer to preside over the administrative adjudication of parking citations and environmental violations. PROPOSAL NO. 208, 2015. The proposal, sponsored by Councillors Moriarty Adams and McQuillen, approves the Mayor's appointment of Howard L. Stevenson as hearing officer to preside over the administrative adjudication of parking citations and environmental violations. PROPOSAL NO. 209, 2015. The proposal, sponsored by Councillors Moriarty Adams and McQuillen, approves the Mayor's appointment of Kurt A. Webber as hearing officer to preside over the administrative adjudication of parking citations and environmental violations. By 5-0 and 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 169-170 and 205-209, 2015 were adopted on the following roll call vote; viz:

Proposal No. 169, 2015 was retitled COUNCIL RESOLUTION NO. 37, 2015, and reads as follows:

Proposal No. 170, 2015 was retitled COUNCIL RESOLUTION NO. 38, 2015, and reads as follows:

Proposal No. 205, 2015 was retitled COUNCIL RESOLUTION NO. 39, 2015, and reads as follows:

Proposal No. 206, 2015 was retitled COUNCIL RESOLUTION NO. 40, 2015, and reads as follows:

Proposal No. 207, 2015 was retitled COUNCIL RESOLUTION NO. 41, 2015, and reads as follows:

Proposal No. 208, 2015 was retitled COUNCIL RESOLUTION NO. 42, 2015, and reads as follows:

Proposal No. 209, 2015 was retitled COUNCIL RESOLUTION NO. 43, 2015, and reads as follows:

PROPOSAL NO. 173, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 173, 2015 on June 22, 2015. The proposal, sponsored by Councillors Lewis and Barth, appoints Elizabeth Gore to the Metropolitan Board of Zoning Appeals, Division II. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 173, 2015 was adopted on the following roll call vote; viz:

*27 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*  
*0 NAYS:*  
*2 ABSENT: Cain, Clay*

Proposal No. 173, 2015 was retitled COUNCIL RESOLUTION NO. 44, 2015, and reads as follows:

### **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 211, 2015. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$23,000 in the 2015 Budget of the Information Services Agency (Enhanced Access Fund) to cover costs associated

with the public-facing access portal and virtual server for the City-County Council's new legislative management system"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 212, 2015. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$80,000 in the 2015 Budget of the Department of Metropolitan Development (CRED Fund) for revitalization and economic development in the Lafayette Square district"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 213, 2015. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves expenditures from the community revitalization enhancement district's (CRED) industrial development fund in the amount of \$80,000 to be used by the Lafayette Square Coalition, Inc. (dba International Marketplace Coalition) and Keep Indianapolis Beautiful, Inc. for use within the Lafayette Square CRED"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 214, 2015. Introduced by Councillor Holliday. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the statement of benefits for Exploration Center I, LLC and Republic Airways Holdings, Inc., an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 215, 2015. Introduced by Councillor McQuillen. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits for Aerodyn Engineering, Inc. and Aerodyn Real Estate, LLC, an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 216, 2015. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits for Ingredion, Inc., an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 217, 2015. Introduced by Councillors Gooden and Hunter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code by repealing the existing Zoning Ordinance and Subdivision Control Ordinance and adopts a new consolidated Zoning and Subdivision Control Ordinance (Indy Rezone) and fixes a time when the same shall take effect"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 218, 2015. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code by adding a new chapter establishing the Indianapolis-Marion County Community Benefit Program"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 219, 2015. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which replaces the funding mechanism of Fiscal Ordinance No. 8, 2015 by appropriating \$4,700,000 in the 2015 Budget of the Department of Public Safety, IMPD (City Cumulative Capital Fund) and reducing the appropriation in the same

amount from the IMPD General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 220, 2015. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$1,344,956 and additional appropriation of \$4,968,362 in the 2015 Budget of the Department of Public Works (Solid Waste Disposal and Collection Funds) to meet contractual obligations of a third party trash collection vendor and to obtain additional trash receptacles "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 221, 2015. Introduced by Councillor Clay. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Granner and Kellum Drive (District 11)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 222, 2015. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Beaconsfield Lane and Shepperton Boulevard (District 7)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 223, 2015. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a one-way street designation at Washington and Pennsylvania Streets (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 224, 2015. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions at Washington and East Streets (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 225, 2015. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on New Jersey Street between New York and Vermont Streets (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 226, 2015. Introduced by Councillor Simpson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at 39th and Broadway Streets (District 9)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 227, 2015. Introduced by Councillors Adamson and Scales. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which facilitates the removal of illegally parked Blue Indy cars on Washington Street"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 228, 2015. Introduced by Councillor Tew. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code by adding a new Sec. 451-4 regarding the reporting of lost or stolen firearms"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 235, 2015. Introduced by Councillors Osili, Simpson, Gray and Robinson. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which urges the Indiana General Assembly to empower First Class cities to provide uniform special real property tax



provisions granting longtime residential owner-occupants relief from rapid increases in property taxes due to rapid increases in market value as a consequence of new construction or the refurbishing or renovating of other residences of surrounding properties in areas of deteriorated, vacant or abandoned homes and properties"; and the President referred it to the Rules and Public Policy Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

Due to some remaining concerns and ongoing discussion regarding Zoning Case 2015-CZN-810, Councillor Osili made the following motion:

Madam President:

I move that Proposal No. 238, 2015 (Rezoning Case 2015-CZN-810), located at 1717 West 10th Street; 905-929 Miley Avenue, be scheduled for a hearing before this Council at its next regular meeting on August 17, 2015 at 7:00 p.m. and that the General Counsel read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Simpson seconded the motion and Proposal No. 238, 2015 was scheduled for public hearing on August 17, 2015; and is identified as follows:

2015-CZN-810  
1717 West 10th Street; 905-929 (Odd) Miley Avenue (Approximate Address)  
Center Township, CD #15  
MECCA Holdings, LLC by Joseph Scimia and Roger Kilmer request Rezoning of 3.942 acres from the D-5 (RC) (W-1) and I-4-U (RC) (W-1) districts to the CBD-S (RC) (W-1) classification to provide for 248 multifamily dwelling units, a parking garage and off-street parking lots.

General Counsel Fred Biesecker made the following announcement:

Madam President:

This Council will hold a public hearing on Rezoning Petition No. 2015-CZN-810, Council Proposal No. 238, 2015, at its next regular meeting on August 17, 2015, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 3.942 acres from the D-5 (RC) (W-1) and I-4-U (RC) (W-1) districts to the CBD-S (RC) (W-1) classification to provide for 248 multifamily dwelling units, a parking garage and off-street parking lots.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

PROPOSAL NO. 236, 2015, PROPOSAL NO. 237, 2015, PROPOSAL NOS. 239-241, 2015 and PROPOSAL NOS. 242-245, 2015. Introduced by Councillor Robinson. Proposal No. 236, 2015, Proposal No. 237, 2015, Proposal Nos. 239-241, 2015 and Proposal Nos. 242-245, 2015 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 30, 2015. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 47-55, 2015, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 47, 2015.  
2015-ZON-004 (Amended)

3904 Rockville Road (Approximate Address)

Wayne Township, CD #14

TRG Partners, LLC, by Justin Gifford request Rezoning of 0.22 acre, from the C-3 district, to the C-S classification to provide for automobile tire sales.

REZONING ORDINANCE NO. 48, 2015.

2015-ZON-033

414 Fulton Street

Center Township, CD #15

Rebecca L. Schafer requests Rezoning of 0.20 acre from the I-3-U classification to the D-8 district.

REZONING ORDINANCE NO. 49, 2015.

2015-ZON-025

2038 and 2044 Olney Street (Approximate Address)

Center Township, CD #10

New Day Restoration Church of God in Christ, by Quentin E. Walton Sr. request Rezoning of 0.84 acre, from the C-2 District, to the SU-1 classification to provide for a church and fellowship hall, with reduced setbacks, including a zero-foot setback along Olney Street.

REZONING ORDINANCE NO. 50, 2015.

2015-ZON-030

223 Lynn Street (Approximate Addresses)

Center Township, CD #15

The Lord's Pantry at Anna's House, Inc., by H. Kim TeKolste request Rezoning of 1.73 acres, from the I-4-U (W-5) District, to the SU-7 (W-5) classification to provide for a not-for-profit charity, within a two-story, approximately 15,000-square foot multi-use facility, with off-street parking.

REZONING ORDINANCE NO. 51, 2015.

2015-ZON-034

3301 English Avenue (Approximate Addresses)

Center Township, CD #16

Sears Roebuck and Company c/o Sears Holding Management Corporation BC-151A, by David Kingen and Justin Kingen request Rezoning of 3.1 acres from the D-5 and C-4 districts to the C-3 classification.

REZONING ORDINANCE NO. 52, 2015.

2015-ZON-017

8435 Shelby Street (Approximate Address)

Perry Township, CD #24

AAA Holdings Group, LLC, by David A. Retherford requests Rezoning of 3.99 acres from the C-S district to the C-S classification to provide for religious uses and limited C-1 and C-3 uses, including the previously permitted health and fitness facility.

REZONING ORDINANCE NO. 53, 2015.

2015-ZON-021A

118 North Arsenal Avenue (Approximate Address)

Center Township, CD #16

Roman Catholic Archdiocese of Indianapolis Properties, Inc., by Paul J. Carroll. Request Rezoning of 0.15 acre from the D-8 District to the SU-1 classification to provide for a playground and religious use.

REZONING ORDINANCE NO. 54, 2015.

2015-ZON-023

1224 North Capitol Avenue (Approximate Addresses)

Center Township CD #15

GWWS Real Estate LLC, by David and Justin Kingen request Rezoning of 1.05 acres, from the C-S (RC) (W-5) district to the C-S (RC) (W-5) classification, to provide for C-1, C-2, C-3 and C-3C uses (except off-premise advertising signs), hydroponic and organic gardening facility, with showrooms and retail sales; catering facility; catering facility; and rental storage areas.

REZONING ORDINANCE NO. 55, 2015.

2015-CZN-807

7131 Milhouse Road (Approximate Address)

Decatur Township, CD #22

Brian Baker, by Nancy A. Long and Paul Lambie Rezoning of 2.86 acres from the D-A district to the D-1 classification to provide for residential development.

PROPOSAL NO. 246, 2015. Introduced by Councillor Robinson. Proposal No. 246, 2015 is a proposal for Rezoning Ordinance certified for denial by the Metropolitan Development Commission on July 1, 2015. The President called for any motions for public hearings. There being no motions for public hearings, the recommendation of denial was upheld by the Council and Proposal No. 246, 2015 was defeated by a unanimous voice vote. Proposal No. 246, 2015 is identified as follows:

2014-CZN-819

6265 Broadway Street

Washington Township, CD #3

Gregory Stoll, by David and Justin Kingen request Rezoning of 0.18 acre from the D-4 (FF) district to the D-6 (FF) classification to provide for multi-family development.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 123, 2015. The proposal, sponsored by Councillor Robinson, is a rezoning ordinance for Center Township, District 19, 340 South White River Parkway, West Drive (2014-CZN-835). The proposal was called out for public hearing on May 11, 2015 by Councillor Miller and then postponed by the Council on May 11 and June 8, 2015.

Councillor Miller made the following motion:

Madam President:

The petitioners continue to negotiate a resolution of the rezoning case at 340 South White River Parkway, West Drive, and petitioner has consented to a continuance of the hearing scheduled for this meeting.

I, therefore, move that the public hearing on Proposal No. 123, 2015 (Rezoning Docket No. 2014-CZN-835) be postponed and rescheduled for August 17, 2015.

Councillor Lutz seconded the motion, and Proposal No. 123, 2015 was postponed until August 17, 2015 by a unanimous voice vote.

PROPOSAL NO. 171, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 171, 2015 on June 16, 2015. The proposal, sponsored by Councillor Hickman, transfers \$1,099,181 from the County General fund to the Auditor's Ineligible Deduction fund in the 2015 budget of the Marion County Auditor's Office for costs related to the homestead verification process and appropriates \$2,269,000 in the Auditor's Ineligible Deduction fund to cover contractual expenses related to the homestead verification process records modernization efforts, and outside legal review of Stormwater expenditures by Department of Public Works. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Sandlin stated that he wanted to make it clear that this is not an appropriation for a simple review of expenditures, but a thorough audit. He said that there is a distinction in State law about who can audit such, and the liabilities associated with it.

Councillor Miller said that with regard to homestead deduction violations, they should check the landlord registry, as none of those properties should be claiming a deduction.

Councillor Hickman said that the homestead violations will not go away, and they will continue to collect on delinquent payments.

The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Mansfield moved, seconded by Councillor Mascari, for adoption. Proposal No. 171, 2015 was adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*

*0 NAYS:*

*1 NOT VOTING: Oliver*

*2 ABSENT: Cain, Clay*

Proposal No. 171, 2015 was retitled FISCAL ORDINANCE NO. 24, 2015, and reads as follows:

PROPOSAL NO. 172, 2015. Councillor Mansfield said that the Administration and Finance Committee heard Proposal No. 172, 2015 on June 16, 2015. The proposal, sponsored by Councillor Moriarty Adams, appropriates \$1,500,000 and transfers appropriation between characters in the 2015 Budget of the Marion County Information Services Agency, for covering the costs associated with enterprise-wide network infrastructure improvements. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Lutz said that he hoped some of these funds can be used to help straighten out his city e-mail account.

The President called for public testimony at 8:11 p.m. There being no one present to testify, Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 172, 2015 was adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*

*0 NAYS:*

*1 NOT VOTING: Oliver*

*2 ABSENT: Cain, Clay*

Proposal No. 172, 2015 was retitled FISCAL ORDINANCE NO. 25, 2015, and reads as follows:

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 176 and 177, 2015 on June 17, 2015. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 176, 2015. The proposal, sponsored by Councillors Moriarty Adams and Pfisterer, appropriates and transfers a total of \$1,825,000 in the 2015 Budget of the Marion Superior Court (County General Fund, Guardian Ad Litem Fund, Commissioner & Guardian Ad Litem Fund) to cover court appointed special advocate contractual services provided by Child Advocates, Inc. PROPOSAL NO. 177, 2015. The proposal, sponsored by Councillors Moriarty Adams and Hunter, appropriates \$104,000 (County General Fund) in the 2015 Budget of the

Marion County Public Defender Agency to hire additional staff for the TPR/CHINS Division to cover an increase in case filings. The appropriation will be offset by a forty percent reimbursement from the Indiana Public Defender Commission. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Simpson said that Proposal No. 167, 2015 is a very serious issue that has to be resolved, and they will be coming back for more funding until this system is fixed. He added that they need to let those at State Legislature know this is serious for Marion County. Councillor Moriarty Adams agreed and said that this funding will last through September, and they will have to come back before the end of the year for more funding.

Councillor Pfisterer said that beyond just staffing, it needs to be resolved from a societal aspect. Many of these are exacerbated by the heroin epidemic and the ripple effect it has on society.

Councillor Freeman agreed that this is a serious problem, and he believes the State should help solve this funding problem.

The President called for public testimony at 8:18 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Simpson, for adoption. Proposal Nos. 176 and 177, 2015 were adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*

*0 NAYS:*

*1 NOT VOTING: McQuillen*

*2 ABSENT: Cain, Clay*

Proposal No. 176, 2015 was retitled FISCAL ORDINANCE NO. 26, 2015, and reads as follows:

Proposal No. 177, 2015 was retitled FISCAL ORDINANCE NO. 27, 2015, and reads as follows:

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 146, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 146, 2015 on June 16, 2015. The proposal, sponsored by Councillor Pfisterer, amends the Code regarding city-county holidays. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield stated that she could not attend the committee meeting, or she would have offered an amendment at that time. She said that she agrees with time off for employees for Christmas Eve and Veteran's Day, but she does not support Columbus Day as a holiday. She said that over the past 15 to 20 years, many governments have decided not to celebrate Columbus because of the offenses it represents for Native Americans.

Councillor Mansfield made the following motion:

Madam Chair:

I move to amend Section 2 of Proposal No. 146, 2015, specifically version b effective 1-1-2016 of Sec. 291-206 (a), by deleting the language that is double stricken-through in the highlighted portion, to read as follows:

SECTION 2. Version b to Section 291-206 of the "Revised Code of the Consolidated City and County," regarding city and county holidays, hereby is created to amend Section 291-206 by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 291-206. - Holidays. Version b.

*Note: This version of section effective 1-1-2016. See also preceding version of this section, effective until 1-1-2016.*

(a) Designated. The following are designated as city and county holidays for full-time and part-time employees:

New Year's Day (January 1st);

Martin Luther King Day (third Monday of January);

~~Presidents Day (third Monday of February);~~

Good Friday (Friday preceding Easter);

Memorial Day (last Monday of May);

Independence Day (July 4th);

Labor Day (first Monday of September);

~~Columbus Day (second Monday of October);~~

Veteran's Day (November 11th);

Thanksgiving Day (fourth Thursday of November);

Friday after Thanksgiving;

Christmas Eve (December 24th);

Christmas Day (December 25th);

Primary Election Day; and

General Election Day in years with state and municipal elections.

Councillor Adamson seconded the motion.

Councillor Freeman asked if the original proposal gave employees a net gain of two more holidays, and if this change makes it a net gain of one. Councillor Mansfield said that this is correct, but it has never been recognized by the city before, and she is asking that they not add it as a holiday.

Councillor Hunter asked if the unions have all reviewed this change and if this amendment will impact any contract negotiations. Councillor Mansfield said that the proposal is not yet approved, so it should not affect any current contracts.

Councillor McHenry asked why they are eliminating President's Day, as it is an important holiday and schools are out. She said it seems they are taking away something important.

Councillor Sandlin said that the discussion at committee is that Columbus Day was added because it is observed by the State, the courts, and most of the County offices as a holiday. He said that only half of the building is working that day, and he supports that addition, and therefore opposes the amendment.

Councillor Freeman said that he does not understand why they are trying to take away any days at all. He said that adding Christmas Eve just to take away Presidents Day seems counter-intuitive. He said that he would like to see them leave Presidents Day in place, and still give employees Columbus Day and Veterans Day and Christmas Eve. He said that this is a way of appreciating employees who work a lot and do not always get the fiscal compensation they deserve.

Councillor Lutz said that he is not sure he understands what this amendment is doing. Councillor Mansfield said that the originally introduced proposal would take away Presidents Day and add Christmas Eve, Columbus Day and Veterans Day as holidays. She said that she was not able to attend the meeting, or she would have offered the amendment at that time. She said if her motion is confusing, she would be supportive of returning the matter to committee to handle the amendment there, as it is not time-sensitive. She moved, seconded by Councillor Lutz, to return Proposal No. 146, 2015 to committee. The motion carried on the following roll call vote; viz:

*25 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson*  
*1 NAY: Tew*  
*1 NOT VOTING: Gray*  
*2 ABSENT: Cain, Clay*

The President asked for the date for the next committee hearing. The Clerk stated that it is scheduled for July 21, 2015.

PROPOSAL NO. 150, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 150, 2015 on May 18, 2015 and June 22, 2015. The proposal, sponsored by Councillor Evans, approves the statement of benefits for American Bottling Company to allow tax abatement for property located in an economic revitalization area. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Evans made the following motion:

Madam President:

I move to amend Proposal No. 150, 2015 by substituting the Statement of Benefits form attached as exhibit A hereto in place of the statement of benefits form originally included with the proposal.

Councillor McQuillen seconded the motion. Ryan Hunt, Department of Metropolitan Development (DMD), stated that the retention headcount was simply left out of the salary section, and there is no real change to the project.

Proposal No. 150, 2015 was amended by on the following roll call vote; viz:

*25 YEAS: Adamson, Barth, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*0 NAYS:*

2 NOT VOTING: Freeman, Scales

2 ABSENT: Cain, Clay

Councillor Robinson moved, seconded by Councillor Evans, for adoption. Proposal No. 150, 2015 was adopted on the following roll call vote; viz:

25 YEAS: Adamson, Barth, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew

0 NAYS:

2 NOT VOTING: Freeman, Scales

2 ABSENT: Cain, Clay

Proposal No. 150, 2015, as amended, was retitled GENERAL RESOLUTION NO. 11, 2015, and reads as follows:

PROPOSAL NO. 152, 2015. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 152, 2015 on June 23, 2015. The proposal, sponsored by Councillor Robinson, amends the Code by adding a new article regarding the Reuben Engagement Center. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Robinson made the following motion:

Madam Chair:

I move to amend Section 1, Secs. 251-821 and 251-822 of Proposal No. 152, 2015 by deleting the language that is stricken-through and adding the language that is underlined, to read as follows:

Sec. 251-821 - Facility.

The “Albert G. and Sara I. Reuben Engagement Center” (Reuben Engagement Center) is hereby established, initially to be located at 742 East Market Street in Indianapolis; provided further, that any facility operated by the City which fulfills the purpose and provides the services contemplated by this ordinance shall be called the Reuben Engagement Center in perpetuity.

Sec. 251-822 – Purpose.

(a) The engagement center will provide a safe location for persons eighteen (18) years of age and over experiencing homelessness ~~over the age of eighteen (18)~~ who are unable to gain access to emergency shelter options due to active substance abuse, including both drug and alcohol, and mental health diagnosis. The engagement center will provide a place to recover from temporary intoxication and an opportunity to engage in resource referral.

(b) Persons are not required to have involvement or interaction with law enforcement prior to using the services of the engagement center.

(c) Eligible arrestees may use the services of the engagement center if the Marion County Sheriff’s Office and the Marion County Prosecutor’s Office determine that the arrestee meets appropriate protocols.

(d) The initial capacity of the engagement center will be thirty (30) beds.

Councillor Lutz seconded the motion.



Councillor Mansfield asked if she could suggest a friendly amendment to add “Albert G and Sara I” everywhere the center is mentioned in the document. Councillor Miller said that this is covered in using the parentheses. Fred Biesecker, General Counsel, said that this language was suggested by the representatives of the trust, and the shorthand used throughout the ordinance is sufficient for what is intended. Councillor Mansfield said that the person meeting with them made it very clear that this was important and she wonders if this will not make the estate members happy. Bill Moreau, Coalition for Homelessness Intervention and Prevention (CHIP) and a lawyer with Barnes and Thornburg, said that they proposed the language and it was mostly with regard to signage they wanted this added, and he believes this language covers that intent and the family will get the result they asked for.

Councillor Lutz thanked the Reuben family for their gift of \$750,000 to help citizens far less fortunate than most of this body. He said he supports this amendment and the proposal as a whole.

Councillor Adamson asked why the word “initially” was added in the amendment. Mr. Biesecker said that it is possible that the center may not be located at this location forever.

Proposal No. 152, 2015 was amended on the following roll call vote; viz:

*27 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*

*0 NAYS:*

*2 ABSENT: Cain, Clay*

Councillor Hickman said that she want so make sure the Council is involved in the board appointments and that this center is going in the right direction.

Councillor Jackson said that she has concerns that this center is truly used for the homeless and does not become a drunk tank. Councillor Hickman said that this was discussed at length, and it is clear that this is being worked on, and the board is aware of that concern.

Councillor Miller agreed and said that they will make sure the bylaws are made public, and he personally intends to keep an eye on this center, as they have worked too long and hard on it to be used for any other purpose.

Councillor Hunter said that he applauds this effort, but cautioned them not to trump what an officer is sworn to do. He said that some other guidelines need to be changed at the state level, as they do not always have the full authority to effect these laws the way they want.

Councillor Oliver asked if this will be a place for people who are under arrest for public intoxication who are also experiencing some other issues such as homelessness. Mr. Moreau said that the expectation and hope is that outreach teams can engage individuals for on-the-spot engagement to bypass an arrest or other issues.

Councillor Robinson moved, seconded by Councillor Barth, for adoption. Proposal No. 152, 2015 was adopted on the following roll call vote; viz:

*27 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*

0 NAYS:

2 ABSENT: Cain, Clay

Proposal No. 152, 2015, as amended, was retitled GENERAL ORDINANCE NO. 32, 2015, and reads as follows:

PROPOSAL NO. 153, 2015. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 153, 2015 on June 23, 2015. The proposal, sponsored by Councillors Miller, Barth, Adamson, Lutz and Mascari, amends the Code for vacant building standards regarding homes with a foreclosure complaint filed against them. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gray asked who will put this in place and who will enforce it. Councillor Miller said that there is nothing really to enforce, but banks will be responsible for maintenance. He said that they are not really able to enforce this, but by codifying it in the law, they are making the statement of intent very clear to the State Legislature, in the hopes that they will correct the State law.

Councillor Adamson said that this makes a statement that this body supports and stands with neighborhoods in holding owners accountable for those properties and upkeep, hopeful that the State law will also be fixed.

Councillor Freeman said that there are times and places to make statements. He said that he has no idea why they are passing something that does nothing. They are enacting an ordinance that is unenforceable, will not be followed and does not do anything. He said that they can call their Senators, run for State Legislature, but this is not anything they can do something about at this time. He said it makes no sense to change sections in the Code when they cannot actually make those changes.

Councillor Pfisterer said that a lot of constituents support this effort, while the banks have asked her not to support it, but it is frustrating that this action cannot be enforced. She said that this body should instead work together as a group to go to the State Legislature to resolve this issue.

Councillor Lutz said that he does not disagree with Councillor Freeman on many issues, but this city is made up of many neighborhoods, and when neighborhoods are weak, the city is weak. He said that they may not have enforcement authority, but this action will empower neighborhoods. The General Assembly took this power away from local government in the final days of the last session, and the only way to get this done is to make a statement and have constituents contact their representatives to ask them to allow the residents to have the authority to deal with problems in their neighborhoods.

Councillor Sandlin said that he respectfully disagrees, even though he attends community meetings regularly where residents provide information and complaints about these properties. However, to pass a law that has no actionable parts to it is a big waste of time, and they should instead be talking to legislators. He said that to pass this means nothing, and he cannot therefore support it.

Councillor Scales said that this is putting the cart before the horse, and they need to first go to the State Legislature. She said that neighborhoods do need help, but passing feel-good legislation will give residents hope that something will be done, when nothing can be. She said that this

body needs to be more concerned with passing laws that can be enforced. She said that she would be happy to help work toward a solution, but this is not the way to do it.

Councillor Adamson said that the Legislature knows this is important to Indianapolis, but at the 11<sup>th</sup> hour they put changes in place because of that. He said that citizens overwhelming support the Council taking action anyway.

Councillor Barth said that the General Assembly had the opportunity to act, and instead acted opposite the residents' wishes. He said that he would like to continue to work with them, but he has not seen any cooperation on their part. He said that they have started to put together a neighborhood toolbox to help build strong neighborhoods. This is just one step in a sequence of many to demonstrate collaboration and the importance of building strong neighborhoods.

Councillor Hickman said that she is concerned that this needs to be further negotiated. She said that she feels for the neighborhoods, but she wants to see something strong in place that actually does something.

Councillor Miller said that the only other thing they could do would be to offer a special resolution to urge the State to make changes. If this ordinance is just paper and ink, then he does not believe he would have received the e-mails from bank lobbyists asking him not to support it. He said that it has gotten the attention of those who asked for local power to be taken away at the General Assembly. He said that they did not want to talk to Council members before, but now are begging them not to act on this. He said that this sends a message that they care about neighborhoods, and the only thing they can do is urge the General Assembly to fix it.

Councillor Miller made the following motion:

Madam Chair:

I move to amend Section 1, Sec. 537-1 of Proposal No. 153, 2015, specifically the definition of "owner," by adding the language that is highlighted and double-underlined, to read as follows:

*Owner* means any one (1) or more of the following:

- (1) The holder or holders of a fee simple or life estate interest in a parcel of real property;
- (2) The record owner or owners as reflected by the county recorder's office;
- (3) The purchaser or purchasers of such real estate under any contract for the conditional sale thereof; or
- (4) The estate of a decedent, receiver, guardian or custodian, or the corpus of a trust, but not the personal representative or fiduciary of such estate or trust.
- (5) Any mortgagee that has filed a complaint for foreclosure on a structure that is now vacant or abandoned, until title to the premises is transferred to a third party or the complaint is dismissed, within the constraints prescribed in IC 32-30-10.3 and IC 34-30-26.

Councillor Adamson seconded the motion.

Councillor McQuillen asked if this will present challenges for the city. Councillor Lutz said that it should not, because it is just adding a code citation.

Councillor Gray asked what will be different tomorrow if this passes. He asked if the bank will then be obligated. Councillor Adamson said that this illustrates the exact process that will allow banks to take responsibility for grass and garbage. Councillor Gray asked if there are any punitive damages on the bank if they do not do it, and if there is no way to enforce it. Mr. Biesecker said that there is not. Councillor Gray asked if this is just a show to say the Council

did something. Mr. Biesecker answered in the affirmative and said that under State law, local government is now prohibited from taking over any activities that regulate the foreclosure process.

The motion to amend Proposal No. 153, 2015 carried on the following roll call vote; viz:

*18 YEAS: Adamson, Barth, Evans, Holliday, Hunter, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Shreve*  
*9 NAYS: Freeman, Gooden, Gray, Hickman, Jackson, Sandlin, Scales, Simpson, Tew*  
*2 ABSENT: Cain, Clay*

Councillor Hunter said that he cannot support this, because the State has taken away their authority to actually enforce it.

Councillor Oliver asked if this will bring attention to zombie homes and urge lending institutions to be good samaritans and do the right and moral thing. Councillor Adamson said that there have been a lot of conversations with lenders since the introduction of this proposal, and there has been nothing to indicate they will work with the city to compromise; they simply asked that the Council postpone voting on it.

Councillor Pfisterer said that lending institutions can, however, help to define who the actual owners of these properties are.

Councillor Barth moved, seconded by Councillor Adamson, for adoption. Proposal No. 153, 2015 was adopted on the following roll call vote; viz:

*17 YEAS: Adamson, Barth, Evans, Gray, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Shreve*  
*10 NAYS: Freeman, Gooden, Hickman, Hunter, Jackson, McQuillen, Sandlin, Scales, Simpson, Tew*  
*2 ABSENT: Cain, Clay*

Proposal No. 153, 2015, as amended, was retitled GENERAL ORDINANCE NO. 33, 2015, and reads as follows:

Councillor Mansfield asked for consent to explain her vote. Consent was given. Councillor Mansfield said that she supported the proposal in order to continue the conversation, as this is a big problem for neighborhoods; however, she would have much rather seen this as a special resolution since it cannot technically be codified and enforced.

PROPOSAL NO. 174, 2015. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 174, 2015 on June 23, 2015. The proposal, sponsored by Councillors Lewis and McQuillen, amends the Revised Code to establish a regional development authority. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Robinson asked if they will see the proposal before it goes to the State. Angela Smith-Jones, Chamber of Commerce, said that they can make a copy available to the Clerk and President for distribution, and it will also be a part of public record.

Councillor Oliver asked if this is only for Marion County. Mark Fisher, Chamber of Commerce, said that any county can come together and form a regional development authority.

Councillor Barth moved, seconded by Councillor McQuillen for adoption. Proposal No. 174, 2015 was adopted on the following roll call vote; viz:

*25 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*  
*1 NAY: Oliver*  
*1 NOT VOTING: Osili*  
*2 ABSENT: Cain, Clay*

Proposal No. 174, 2015 was retitled GENERAL ORDINANCE NO. 34, 2015, and reads as follows:

PROPOSAL NO. 178, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 178, 2015 on June 16, 2015. The proposal, sponsored by Councillor Moriarty Adams, transfers a total of \$50,000 in the 2015 Budget of the Office of Finance and Management (Public Safety Income Tax Fund) to cover costs related to public safety test supplies for interview and assessment process for entry-level applicants. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mansfield moved, seconded by Councillor McQuillen, for adoption. Proposal No. 178, 2015 was adopted on the following roll call vote; viz:

*24 YEAS: Adamson, Barth, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Pfisterer, Robinson, Sandlin, Scales, Shreve, Tew*  
*0 NAYS:*  
*3 NOT VOTING: Freeman, Osili, Simpson*  
*2 ABSENT: Cain, Clay*

Proposal No. 178, 2015 was retitled FISCAL ORDINANCE NO. 28, 2015, and reads as follows:

Councillor Adamson reported that the Public Works Committee heard Proposal Nos. 180-188, 2015 on June 18, 2015. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 180, 2015. The proposal, sponsored by Councillor Gooden, authorizes intersection controls at Barlum and Meadowbrook Drives (District 3). PROPOSAL NO. 181, 2015. The proposal, sponsored by Councillor Gooden, authorizes parking restrictions on East 54th Street (District 3). PROPOSAL NO. 182, 2015. The proposal, sponsored by Councillor Gooden, authorizes intersection controls at Northview and Guilford Avenue (District 3). PROPOSAL NO. 183, 2015. The proposal, sponsored by Councillor Gooden, authorizes intersection controls at Carrollton and Guilford Avenues and Forest Lane and Winthrop Avenue (District 3). PROPOSAL NO. 184, 2015. The proposal, sponsored by Councillor Gooden, authorizes intersection controls at Rosslyn Avenue and 61st Street (District 3). PROPOSAL NO. 185, 2015. The proposal, sponsored by Councillors Simpson and Osili, authorizes parking restrictions on East St. Clair Street from Pennsylvania Street to Park Avenue (Districts 9 and 15).

PROPOSAL NO. 186, 2015. The proposal, sponsored by Councillor Freeman, authorizes intersection controls at Sunset Ridge Parkway, Moonstruck Parkway and Moonstruck Court (District 25). PROPOSAL NO. 187, 2015. The proposal, sponsored by Councillor Freeman, authorizes intersection controls at Ashland Pointe Place and Thompson Road, at Ashland Pointe Drive and Five Points Road, Cedar Mill Lane and Ashland Pointe Place and at Cedar Mill Way and Skipping Stone Drive (District 25). PROPOSAL NO. 188, 2015. The proposal, sponsored by Councillor Freeman, authorizes intersection controls at Shakamak Drive and Thompson Road and at Shakamak Court and Shakamak Drive and Shakamak Way (District 25). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Adamson moved, seconded by Councillor McQuillen, for adoption. Proposal Nos. 180-188, 2015 were adopted on the following roll call vote; viz:

*24 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mansfield, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*  
*0 NAYS:*  
*3 NOT VOTING: Jackson, Mascari, Osili*  
*2 ABSENT: Cain, Clay*

Proposal No. 180, 2015 was retitled GENERAL ORDINANCE NO. 35, 2015, and reads as follows:

Proposal No. 181, 2015 was retitled GENERAL ORDINANCE NO. 36, 2015, and reads as follows:

Proposal No. 182, 2015 was retitled GENERAL ORDINANCE NO. 37, 2015, and reads as follows:

Proposal No. 183, 2015 was retitled GENERAL ORDINANCE NO. 38, 2015, and reads as follows:

Proposal No. 184, 2015 was retitled GENERAL ORDINANCE NO. 39, 2015, and reads as follows:

Proposal No. 185, 2015 was retitled GENERAL ORDINANCE NO. 40, 2015, and reads as follows:

Proposal No. 186, 2015 was retitled GENERAL ORDINANCE NO. 41, 2015, and reads as follows:

Proposal No. 187, 2015 was retitled GENERAL ORDINANCE NO. 42, 2015, and reads as follows:

Proposal No. 188, 2015 was retitled GENERAL ORDINANCE NO. 43, 2015, and reads as follows:

### **NEW BUSINESS**

Councillor Gray wished Councillor Clay, who is under the weather, a speedy recovery.

### **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Lewis, Robinson and Lutz in memory of Judge Taylor L. Baker, Jr.; and
- (2) Councillors McQuillen, Hunter and Mascari in memory of Judge Charles William Hunter, Sr.; and
- (3) Councillor Lutz in memory of Joyce I. Carnahan; and
- (4) Councillors Holliday and Lutz in memory of Charlie Spears; and
- (5) Councillor Cain in memory of John C. Ruckelshaus, II and James Solenberg; and
- (6) Councillors Lutz and McHenry in memory of Savannah Bettis; and
- (7) Councillor Lewis in memory of Terri Redeemer Walker, Ernestine White and Cecil Jones; and
- (8) Councillor Clay in memory of Elder Gregory A. Jenkins; and
- (9) Councillor Adamson in memory of Clifford Lewis; and
- (10) Councillors Pfisterer, Moriarty Adams and Sandlin in memory of Victor Osborne, Gregory Slaven, Richard Justice, Riley Stewart, Robert Allen, John Martin, Richard Fishback, John Dixon, Walter Nash, Robert Bruce, Edward Clouse, Jay Travis and Ronald Patton; and
- (11) Councillor Mascari in memory of Paul Ingram, Sr.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Judge Taylor L. Baker, Jr., Judge Charles William Hunter, Sr., Joyce I. Carnahan, Charlie Spears, John C. Ruckelshaus, II, James Solenberg, Savannah Bettis, Terri Redeemer Walker, Ernestine White, Cecil Jones, Elder Gregory A. Jenkins, Clifford Lewis, Victor Osborne, Gregory Slaven, Richard Justice, Riley Stewart, Robert Allen, John Martin, Richard Fishback, John Dixon, Walter Nash, Robert Bruce, Edward Clouse, Jay Travis, Ronald Patton, Paul Ingram and Sr.. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:39 p.m.

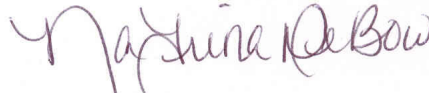
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 13th day of July, 2015.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

A handwritten signature in black ink, appearing to read "Maggie A. Lewis".

President

ATTEST:

A handwritten signature in purple ink, appearing to read "Nathanael DeBow".

Clerk of the Council

(SEAL)